

SENATE BILL 874
By Southerland

AN ACT to amend Tennessee Code Annotated, Section 39-13-101 and Section 39-13-102, relative to offenses against a person.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-101, is amended by adding a new subsection thereto, as follows:

(c) If the victim of the assault was a law enforcement officer performing an official duty, punishment for such assault shall be enhanced.

SECTION 2. Tennessee Code Annotated, Section 39-13-102(d), is amended by deleting item (1) in its entirety and by substituting instead the following:

(1) Aggravated assault under subdivision (a)(1) or subsection (b) or (c) is a Class C felony. Aggravated assault under subdivision (a)(2) is a Class D felony. Aggravated assault committed against a law enforcement officer, firefighter, correctional officer, youth services officer, probation and parole officer, or a state registered security officer/guard performing an official duty or an employee of the department of correction or the department of children's services; provided, that such officer or employee was performing an official duty, is a Class B felony. It is an enhancement factor at the time of sentencing that the victim of the aggravated assault was an emergency medical or rescue worker, emergency medical technician, or paramedic, whether compensated or acting as a volunteer; provided that such technician or worker was performing an official duty.

SECTION 3. This act shall take effect July 1, 2005, the public welfare requiring it.